

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO**

In Re:

Case No.: 19-04523-BKT

CARLOS JAVIER SOTO GONZALEZ,

Chapter 7

Debtor.

_____ /

**TRUSTEE'S REQUEST FOR DISMISSAL UNDER SECTIONS
521 (a)(3) AND (4)**

TO THE HONORABLE COURT:

COMES NOW, NOREEN WISCOVITCH-RENTAS, CHAPTER 7 Trustee, and respectfully informs the Court that the above Debtor has not provided or complied within the initial 45 days after the Petition or conversion:

☐

Complete Schedules. Section 521(a) (1).

☐

Copies of Payment Advices, if applicable and if not applicable a statement that none exist. Section 521(a)(1).

☐

2019 Tax Returns within 7 days prior to the first date of the 341 Meeting of Creditors. Section 521 (e)(2)(A)(i).

☒

Cooperate with the Trustee as necessary to enable the Trustee to perform her duties under the Bankruptcy Code. Section 521(a)(4). The Trustee has given to debtor the following dates for 341 meeting of creditors:

- October 31, 2019: Debtor appeared
- November 21, 2019: Debtor requested continuance because he did not have the documents requested at last meeting.
- December 12, 2019: Debtor appear.
- January 16, 2020: Debtor did not appear, because he needed additional time to provide the documents requested by the Office of the United States Trustee (hereinafter "UST").
- February 13, 2020: Debtor did not appear, because Debtor's counsel was ill.

- February 20, 2020: Debtor appeared
- March 5, 2020: Debtor did not appear nor provided the documents requested by the UST.

In sum, the Debtor has failed to provide the documents requested by the United States Trustee's Office attached as Exhibit "A". The trustee is unable to conclude the 341 Meeting of Creditors or finish the investigation into the Debtor's pre-petition financial affairs.

WHEREFORE, The Trustee requests for the case to be dismissed for Debtor and Debtor's Counsel failure to appear at the continued 341 meeting of creditors set for March 5, 2020, at 1:30pm, and failed to provide the documents requested by the UST to complete the Bankruptcy process, which would have allowed the Trustee to properly administer the case. See Section 521 (a) (3) and (4).

NOTICE: The Court may dismiss the case, if within 30 days, plus 3 days, if served by mail, any party against whom this paper has been served and files an objection or other appropriate response to this paper with the Clerk's Office of the United States Bankruptcy Court for the District of Puerto Rico. If no objection or other response is filed within the time allowed herein, this motion will be deemed unopposed and may be granted unless (i) the requested relief is prohibited by law; (ii) the requested relief is against public policy; or (iii) in the opinion of the Court, the interest of justice requires otherwise.

I HEREBY CERTIFY that a true and correct copy of the foregoing has been sent to Debtor(s)' attorney by CM/ECF system and by regular mail to Debtor,

CARLOS JAVIER SOTO GONZALEZ, PO BOX 142776, ARECIBO, PR 00614 on this 9th day of March 2020.

/s/Noreen Wiscovitch-Rentas

NOREEN WISCOVITCH-RENTAS

CHAPTER 7 TRUSTEE

PMB 136

400 Calle Kalaf

San Juan, PR 00918

Tel. (787) 946-0132

noreen@nwr-law.com